

1969 Assembly Bill 666

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CHAPTER 179, LAWS OF 1969

AN ACT to amend 100.201 (6) (a) of the statutes, relating to assessment of fees for administration of unfair trade practice statute in the dairy industry.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

100.201 (6) (a) of the statutes is amended to read:

100.201 (6) (a) For the purpose of administering and enforcing this section the first person who processes or manufactures any selected dairy product for sale at wholesale or sale at retail (except sales at retail by counter freezer operators licensed under s. 97.05) within this state, or the wholesaler or retailer who first receives any such product already processed from outside the state for sale within the state, shall pay to the department on or before the 25th day of each month following the month in which such wholesaler receives, processes or sells such selected dairy products, a fee as determined by the department, but not to exceed 3 mills per hundredweight of 3.5% butterfat raw milk equivalent on all selected dairy products defined in sub. (1) (a) 1 sold within the state in final consumer package or container to retailers or consumers or sold in such packages or containers to other wholesalers of selected dairy products for further sale within the state to retailers or consumers, and not to exceed 2 mills per gallon on all ice cream mix and ice milk mix made for freezing into ice cream and ice milk and ultimately sold within the state, whether in the form of mix or finished ice cream and ice milk. Products upon which fees have been paid shall be exempt from further fees in successive transactions. Any person claiming that products sold by him are not subject to assessment under this subsection by reason of the fact that they were not sold or resold within the state shall have the burden of so proving, and shall be obligated to pay assessment on such products unless and until he produces records satisfying the department that such products are not subject to assessment.

Approved October 24, 1969.